App. F. IX-4

Previous References

1940

193 ( )

Legis

PRESERVED

File No. 11-40

Serial Nos. 1

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

Part ~~B~~ A for July 1940

SUBJECT.

Promulgation of the Mysore City Municipal Amendment) Bill into Law.

WD 0573—GPB—22,500—12-9-39

Serial No.

710

From The M Commr, Pocig, thro PBs
No A4-1248/39-40 Dt 3-4-40.

Requests sanction of Govt for amending the rate of levy of octroi on betel leaves to 2 pies per bundle of 100 leaves.

In the Bye laws, the rate is 2 pies per bundle of 100 betel leaves & in the city Mnl Act of 1933, the rate fixed is one pie per 100 leaves. The rate fixed in the Bye law is contrary to the Act.

From the Bye laws of the ~~Boonghatore~~ Any Zone Cig- Mdg, it is seen that no octroi is levied on betel leaves.

In the C & M- station a rate of 2 pies per bundle of 100 leaves is levied (Vide page 132 of the Cantonment Bye laws.

From the administration reports of the Pocig- Mdg- it is seen that the income from octroi on ~~betel~~ betel leaves during the year 1936-37 was Rs 10,721 & Rs 11,239 during 1937-38.

Submitted for orders.

9/4 ~~2 The~~ present levy of octroi on betel leaves at the rate of two pies per bundle of 100 leaves in Bhowanipore is contrary to the rate prescribed in Schedule II of the city Mnl Act 1933. Either it should be reduced to one pie per bundle of 100 leaves or the schedule amended raising it to two pies per 100 leaves as in force in the C &

n. Sheet.

6 415

File No. of 194 .

General and Revenue Secretariat.

Serial No.

with the latter course is recommended by the M.C.C. as otherwise by the abolition according to the statutory requirements M.C. stands to suffer.

The proposal is for orders

4/us 3 It is desirable to continue the levy of octroi on Betel leaves at 2ps per 100 leaves, as was done till now. If it is reduced to one pie as provided in the existing Schedule of Rates, there will be a considerable loss to the Municipality which may amount to 5 or 6 thousand Rupees. Moreover, in every station, octroi on Betels is levied at 2ps per 100. So it is better that the rate in both the places are the same, to avoid any tendencies for smuggling from one place to the other.

4 This means that the Schedule II to the City Mal Act should be amended to the required extent, in respect of this item. and the rate of octroi on Betels raised from one pie to two pis.

5 The City Mal Council have passed a resolution accordingly

6 It is for orders whether the proposed amendment to the Schedule can be effected. In Mysore City, octroi is now levied on Betels.

Law. Secy)

11/4

Amend 6844/36 P 362 6215/L

Rule 11 of the Bangalore Mills Act of 1933 re levy of octroi on betel leaves.

Serial No.

7) Steps may be taken to amend rule II of the City Mills Act 1933 regarding the octroi on betel leaves.

II Member).

Hm 12/4

8 I.C.A 14.4.40

Hm 15/4.

9) for taking further action as indicated in para 7

Asst Secy Land } W/C.

15/4

10

MNN 18/4

REV. SECRETARIAT Legis 18. APR. 1940 GOVT. OF KARNATAKA

11) Before further action can be taken in the legis section, the ~~administrative dept~~ has to ~~forward~~ the matter has to be Considered in Council and the approval, the Rajpramukh obtained. A Preliminary draft has to be Prepared by the administrative dept. Concerned and after approval by the Member has to be transferred to the legis Section for scrutiny. (Govt no P 362 - 70 - Legis 1-30-1 dated 16.7.1930). The file with, if approved, be sent back to the administrative Branch.

One 29.4.40.

MNN 1/5

Asst Secy L.S. Gwalter Completed

2/5/40

12) This note, if approved, be now passed on to C.B. for further action as per rule (6) of the Govt. of 16/7/30 as it has to be Considered in Council.

yes.

Amendment of Schedule II of the Mysore Agr
Rules 1933

6 215

General and Revenue Secretariat.

of 1940

Serial No.

13) This is a council matter.
May be disposed of by circulation.

Devaraj)

Hm
10.5.40.

10/5/40

14) Do
12-5-40

15) Chief Secy)
MC.

Hm
14/5/40

14/5/40

GOVT. OF MYSORE.

Circular memo put up.

15/5/40

For Disposal by Circulation.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

16) Amendment of Schedule II of the Mysore City Municipalities Act of 1933, so as to raise the levy of octroi on Betel leaves from 1 ps. to 2 ps. per 100 leaves.

Circulated to the Members of Council.

By Order,

14th May 1940. *Chief Secretary to Government.*

First Member of Council. 17) Nil 15/5/40

Second Member of Council. (Seen)

18 Law Secy to Govt. w/c. 16/5/40

Hm 2 16/5/40.

16/5/

Nil. KKS.

Amendment 6215 - 1 of this Act 1933

General and Revenue Secretariat | File No. | of 1939. | [App. F. III–2

Serial No.

OFFICE
MAY 1940
8350
Statement

19) Submitted with a D.F.N. for appl Leg - Law Dept) 25.5.40

(20) D.F.N. submitted. The Statement of general principles may be sent to R.A. section. Hm 25/5-
II Member).

R.C 25.5.40

SECOND MEMBER OF COUNCIL
25 MAY 1940
No. 8279

21) S.N. submitted Hm 30/5-40.
Dewan)

Final Note by the Second Member of Council.

Subject.—

Amendment of the Mysore City Municipalities Act, 1933.

These papers relate to the amendment of Schedule II of the Mysore City Municipalities Act, 1933, so as to raise the rate of Octroi levied on Betel leaves from one pie to two pies per bundle of 100 leaves.

According to the Bye-laws in force in the Bangalore City Municipality, Octroi on betel leaves is levied at the rate of 2 pies per bundle of 100 leaves. But in the City Municipalities Act of 1933, the maximum rate of levy of octroi is fixed at one pie per bundle of 100 leaves. The rate actually levied according to the Bye-laws is more than the one prescribed in the Act. In the Civil and Military Station, a rate of 2 pies is levied on a bundle of 100 betel leaves.

The Municipal Commissioner, Bangalore City Municipality, in his letter dated the 3rd April 1940 has forwarded the resolution of the Municipal Council dated the 5th February 1940 proposing an amendment to Schedule II of the said Act so as to legalise the levy under the Bye-laws.

The Dewan and the First Member of Council are agreeable to the amendment in question.

I solicit the gracious approval of His Highness the Maharaja to the proposed amendment and for placing the bill before the Representative Assembly and the Legislative Council.

Bangalore
29th May 1940.

SECOND MEMBER OF COUNCIL.

Submitted to His Highness.

I submit herewith a Final Note by the Second Member of Council on the subject of the amendment of the Mysore City Municipalities Act, 1933.

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

31.5.40

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Amendment of the Mysore City Municipalities Act, 1933.

cy

IJ

6-6-40

No. 792

Order.

~~KRW~~

3/6/40

General and Revenue Secretariat.

H & R 790
C. 485

SUBJECT :—

Amendment of the Mysore City Municipalities Act, 1933.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department.

7/6.

FIRST MEMBER OF COUNCIL.

7/6/40

SECOND MEMBER OF COUNCIL. (on leave

Law Secretary with Compliments

8.6.40

1939
no 39

Bill further to amend the
Imposing Orders Act 1939

A draft amendment to
~~the~~ Bill as settled for approval
will be sent to
4/6/40. the Legislative Section
for further action

Law Secy, 4/6/40

Hon
Secy
4.6.1940.

CITY MUNICIPALITIES (AMENDMENT) BILL.

L.C

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

The statement of general principles have been sent to the R.A./for being placed before the R.A. office.

Submitted for orders if the Bill may be published under rule 8 of the Rules of Business of the L.C. The statement of general principles will, if approved, be adopted as the statement of objects and reasons.

5/6/40.

JMW 6/6

Law Secy)

14m 6/6. JMW 6/6

Dewan)

8-6-40

8/6/40

R.A. Office.

With 3 Copies of Bill and St. of Objects & Reasons for further necessary action.

8/6/40.

JMW 6/6

3 Copies taken & file returned

BVN 8.6.40.

Protection Branch)

The formal principles of the Bill were placed before the RA at the 7th June 1940 and accepted by that Body. Submitted for orders of the following Motions may be moved & the Members in the Assembly

1,000 19-4-1

City Municipalities (amendment) Bill

Bill No. of 194 .

General and Revenue Secretariat.

Serial No.

Re

motion that the Bill published under rule 8 of the Rules of Business be read in Council

Moved — 2nd Member

Seconded — Law Secretary

That at the rules of Business and Standing Orders be suspended and the Bill taken into Consideration at once without reference to a Select Committee.

Moved — 2nd Member

Seconded — Law Secretary

That the Bill be passed.

Moved — 2nd Member

Seconded — Law Secretary

These motions may be included amongst the agenda of the L.C.

MRW 10/6

Law Secy

FIRST READING
JUN 11 1940
No 1683

2nd Member)

Hm 10/6/40

MRW 10/6

DLG 13/6/40

Hm 13/6/40

MRW 13/6

L.C. will be asked to move motions at morning sitting.

BDV 14/6/40

Notes and Returned.

BDV. 19-6-40. Protection Branch)

U.S. municipalities (amendment) Bill

General and Revenue Secretariat	File No.	of 194	[App. F. III–2

Serial No.

The Bill was introduced in the Legislative Council on the 2nd July 1940 and was passed (i.e. at one sitting after suspending the Rules of business and Standing orders)

A D.F. is submitted for orders.

8/7/40

May be approved

8/7

(Seen)

D. F. N. submitted

II Member)

8/7/40.

9.7.40

8/7

S. N. submitted

Dewan)

11/7

GOVT OF MYSORE
8 JULY 1940
W DEPT

OFFICE OF THE
SECOND MEMBER OF COUNCIL
9 JUL 1940
No. 368

Final Note by the Second Member of Council.

Subject.— Promulgation of the Mysore City Municipalities (Amendment) Bill.

The gracious sanction of His Highness was accorded on 3rd June 1940 for amending the IInd Schedule of the City Municipalities Act in regard to the item relating to Octroi on betel leaves.

The general principles of a Bill drafted in this behalf, were placed before the Representative Assembly in June 1940 and approved by that House. The Bill itself was thereafter introduced in the Legislative Council on the 2nd of this month and was passed by it at one sitting after suspending the Rules of Business and Standing Orders.

I now solicit the gracious assent of His Highness for promulgating the Bill into Law.

/K. Anantarao

SECOND MEMBER OF COUNCIL.

Bangalore,
10th July 1940.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council on the subject of* the promulgation of the Mysore City Municipalities (amendment) Bill into law *for His Highness' gracious approval.*

Mirza M. Ismail

Dewan.

Bangalore,
12th July 1940.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Mysore City Municipalities (Amendment) Bill into law.

Kindly see
PM
18-7-40

No. 36

Order.

~~KRW~~
15/7/40

General and Revenue
Secretariat.

N.S. 19

SUBJECT:—

Promulgation of the Rangoon city Municipal Act (Amendment) Bill into Law

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(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* *Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department.

Hm 2
18/7/40

873
19.7.40

FIRST MEMBER OF COUNCIL.

MM
22/7/40

796
19.7.40

SECOND MEMBER OF COUNCIL.

KCL
19.7.40

Law Secy with Compliments.

MMS
22.7.40

Hm 2
22/7/40

MM 22/7

WD 04642—GPB—500—23-10-39

Serial No.

The question at issue in this Reference was decided on 15th July 1940 by promulgation of Bill into law. Submitted with a draft G.O directing publication of Act XXVI of 1940.

JMW 23/7

Hm 23/7/40

(Law Secy)

9.46 23/7

Hm 2 23/7/40

Issue JMW 24

Issued GO no 1545 Leg. II-40-1 dated 24.7.40 to compilers.

A Rec

NOTE—Contn. Sheet.

6215
L

BANGALORE CITY MUNICIPALITY.

MUNICIPAL OFFICES,

No.A4-1248/39-40. *Bangalore* 3rd April 1940

FROM

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
Bangalore City.

To

H.V.Narayana Rao, Esq., B.A., LL.B.,
Secretary to Government, Law Department,
Bangalore.

SIR,

I have the honour to state that as per municipal Bye-laws in force (Vide schedule A page 49) a rate of two pies per 100 betel leaves is being levied as octroi duty. But, in the Municipal Act of 1933, on page 157, in column 2, against betel leaves, the rate of one pie per 100 leaves has been mentioned as maximum and hence this has to be suitably amended as per Bye-laws of this Municipality as stated above. The proposal was placed both before the Bye-law Committee and the Municipal Council who have resolved that Government may be moved to amend the schedule by prescribing two pies per every 100 betel leaves being the rate at which it is levied for the past some years. Copies of the said resolutions are also herein enclosed for kind perusal.

I request that in the above circumstances, orders of Government may be kindly obtained in the matter of amending the rate to As.0-0-2 early.

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments.

H.V.Rayan 4/4
HON.PRESIDENT.

MUNICIPAL COMMISSIONER.

SBS

Minutes of the proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Monday the 5th February 40 at 12 noon in the Council Chamber of the City Municipal Offices, Bangalore.

Present :- N.Balakrishnaiya, Esq., B.A., L.B.,

Honorary President.

Messrs.

1. [illegible] Venkataswamy.
2. P.L.Rangoji Rao.
3. Belur Srinivasa Iyengar, B.A.B.L.,
4. B.R.Naveti Rangappa.
5. D.Rameswara Sa.
6. S.Krishnappa B.A.,
7. N.M.Razvi.
8. K.M.Nagänna.
9. B.S.Shankarappa Setty.
10. J.K.Purushothama Naidu.
11. D.Venkataramanappa.
12. [illegible] L.Byanna.
13. [illegible] Munnswamy.

Messrs.

14. Singam Rangaswamappa.
15. Tubagere Nanjappa.
16. K.Gubbaiya, B.A., LL.B.,
17. C.M.Gerguachar B.A.,
18. P.M.Ramasarma.
19. M.Krishnaswamy Pillay.
20. Dr.H.M.Madhava Rao L.M.& S.
21. M.R.Narasimha Iyengar.
22. S.L.Mennaji Rao.
23. O.S.Nasarulla Sheriff M.A LL.B.
24. B.Abdur Rahman B.A.,
25. Dr.M.Royan. M.D.,
26. Mr.V.C.Venkayellappa.

Absent :-

1. Mr.R.Chuberama Chetty.
2. Mr.Mirza Azizulla Beig.
3. Sri.R.Kalyanamma.

PROCEEDINGS OF THE MEETING OF COUNCIL DATED 5-2-40:-

Additional Subject No.30:-

Opinion of the Bye-law Committee that Government may be moved to amend the schedule by prescribing - ..0-0-2 per every 100 betel leaves, being the rate at which it is levied for the past some years.

The President moved and Mr.S.N.M.Razvi seconded.

Res. Approved.

Sd/- N.Balakrishniya,

HON.PRESIDENT.

" COPY "

S. Narayanan

MUNICIPAL COMMISSIONER. 4/4

SBS

PROCEEDINGS OF THE BYE-LAW COMMITTEE DATED 2-2-40:-

Subject No.5:-

To approve the amendment to the bye-laws affecting the levy of octroi on betel leaves (Col.3 of the Schedule under 'A' of Octroi Bye-laws and also to the Schedule II, under Section 64 (page 157 of the Municipal Act).

The Government may be moved to amend the schedule by prescribing Rs.0-0-2 per every 100 betel leaves, being the rate at which it is levied for the past some years.

Sd/- N.Balakrishniya,

HON.PRESIDENT.

"COPY"

Sd/ Narayana 4/40.

MUNICIPAL COMMISSIONER.

BILL FURTHER TO AMEND THE MYSORE CITY MUNICIPALITIES Act ~~Act~~, 1933.

WHEREAS it is expedient further to amend the Mysore City Municipalties Act, 1933;

It is hereby enacted as follows:-

1. This Act may be called the Mysore City Municipalities (amendment) Act, 1940.

2. In Schedule II of the Mysore City Munic 1933 for the words "one pie" occuring ~~on the~~ against the 3¾d item, ie Betel-leaves the words, "two pies" shall be substituted.

Statement of general principles of the Bill further to amend the Mysore City Municipalities Act 1933.

According to the Bye-laws in force in the Bangalore City Municipality , octroi on Betel leaves is levied at the rate of 2 pies per bundle of 100 leaves. But in the City Municipalities Act of 1933 the maximum rate of levy of octroi is fixed at one pie per bundle of 100 leaves. The rate actually levied according to the Bye-laws is more than the one prescribed in the Act. In the Civil and Military Station, a rate of 2 pies is levied on a bundle of 100 betel leaves.

The Municipal Commissioner, Bangalore City in his letter dated 3rd April 1940 has forwarded the resolution of the Municipal Council dated 5th February 1940 proposing an amendment to schedule II of the said Act so as to legalise the levy under the Bye-laws. It is proposed to amend the Act accordingly.

Statement of general principles of the Bill further to amend the City Mdras City Mdras Act 1933.

According to the Bye-laws in force in the City Mdr, octroi on Betel leaves is levied at the rate of 2 pies per bundle of 100 leaves. But in the City Mdras Act of 1933 the maximum rate of levy of octroi is fixed at one pie per bundle of 100 leaves. The rate actually levied according to the Bye-law is more than the one prescribed in the Act. At the C & M Station, a rate of 2 pies is levied on a bundle of 100 betel leaves.

The Mdl Govt. By their letter dated 3rd Apr 1940 has forwarded the resolution of the Mdl Cl. Dt 5-2-40 proposing an amendment

to Schedule II of the said Act
so as to regulate the levy
under the bye-laws. This
proposes to amend the Act accordingly.

THE MYSORE CITY MUNICIPALITIES (AMENDMENT) BILL.

I beg to move that the Bill further to amend the Mysore City Municipalities Act, published under rule 8 of the Rules of Business, be read in Council.

This is a very short bill and it seeks to amend one item in the second schedule of the City Municipalities Act.

As the schedule stands at present, the maximum amount of octroi that can be levied on betel leaves is 1 pie for a bundle of 100 leaves. In the Civil and Military Station the rate is 2 pies. In Bangalore City, for some time past, octroi at 2 pies is being levied on betel leaves. As this is in excess of the maximum prescribed in the Act, the Municipal Council have by a resolution requested an amendment of the schedule so as to render the levy proper.

The general principles of the Bill which gives effect to the suggestion of the Municipal Council were placed before the Representative Assembly during its recent Budget Session and accepted by that Body

I trust it will commend itself to this House.

Mr. A.N. RAMA RAO in further opposing the proposed amendment said that betel leaves were a commodity which was used by almost every one in the State. In fact betel leaves were always regarded as an article of necessity rather than of luxury. Besides the rate of one pie was in existance for so long that an increase was not only unnecessary but also unjustifiable.

Messrs. L. VEMA REDDY, B.L. BYANNA, D. VENKATARAMAPPA and some other members said that there seemed to be no objection to the proposed amendment.

Mrs. B.S. SHANKARAPPA SETTY, SINGAM RANGASWAMAPPA, B.R. KAVETTI RANGAPPA and T.L. GANGOJI RAO and others thought that it would not be in the interests of the poor rate-payers to double the rate.

The general principles of the bill were put to vote and adopted

At 5 P.M. the Assembly adjourned, to meet again at 12 noon the following day.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

-o-

O R D E R No. PS 45 Lys 11-40-1

Dated, Bangalore, the 24th July 1940

Ordered that the accompanying Act further to amend the Mysore City Municipalities Act, 1933 which received the assent of His Highness the Maharaja, on the 15th day of July 1940, be published as Act No. XXVI of 1940, in the Mysore Gazette for general information.

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies as per Standing Orders.
Copy to Translation Section.

TNR-3)

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis
File No. 11 — 4.
Serial No. 1

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Date of issue.....26.7.40.....

Signed by.....Hvr. H.V.N.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. PS45/Leg 1

Ordered that the accompanying Act further to amend the Mysore City Municipalities Act, 1933

which received the assent of His Highness the Maharaja, on the 15th day of July 1940, be published as ~~Regulation~~ Act No. XXVI of 1940, in the *Mysore Gazette* for general information.

Hvr 23/7

Secretary to Government.
& Law Department

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of Spare Copies as per Standing Orders

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